

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tu Docket: TSM03-0188
Patent No.: 6,853,024 B1 Serial No.: 10/679,098
Issue Date: 02/08/2005 Filed: 10/03/2003
For: Self-Aligned MIM Capacitor Process for Embedded DRAM

Mail Stop PGPUB
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Request for Refund Under 37 CFR § 1.26

Dear Sir:

The above-referenced patent application has been assessed a fee of \$300.00. For the reasons stated below, Applicant submits that this fee was incorrectly charged due to non-publication of the application and requests a refund.

FACTS:

1. The present application was filed on October 3, 2003, and given a projected publication date of April 7, 2005, per the official Filing Receipt mailed December 31, 2003 (copy attached).
2. On January 5, 2005, Applicant authorized the payment of the Issue Fee of \$1400.00 and the Publication Fee of \$300.00 to be charged to Deposit Account No. 50-1065 (copy of Part B - Fee(s) Transmittal attached).
3. On January 5, 2005, Deposit Account 50-1065 was assessed said issue and publication fees (copy of redacted Deposit Account statement attached).
4. The present application issued as U.S. Patent No. 6,853,024 B1 on February 8, 2005, almost two months before the projected publication date. The application was not, in fact, published.

02 FC:1504

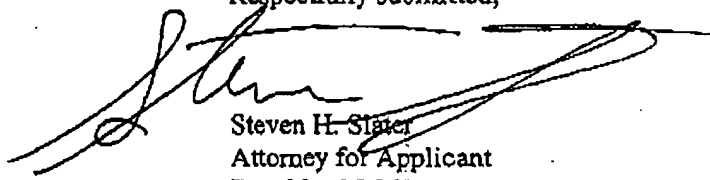
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REMARKS:

Applicant respectfully requests that the \$300.00 fee be refunded to Deposit Account No. 50-1065.

If the office should have any questions, it is requested that Applicant's attorney be contacted at the telephone number below.

Respectfully submitted,



Steven H. Slater
Attorney for Applicant
Reg. No. 35,361

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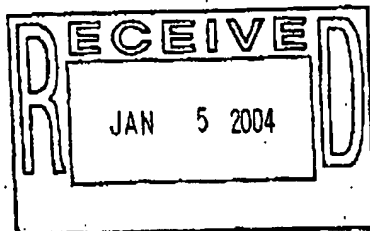
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	PL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/679,098	10/03/2003	2811	770	TSM03-0188	17	19	3

25962
SLATER & MATSIL, L.L.P.
17950 PRESTON RD, SUITE 1000
DALLAS, TX 75252-5793



CONFIRMATION NO. 2276

FILING RECEIPT

10/679,098 10/03/2003 2811 770 TSM03-0188 17 19 3
"OC000000011590026"

Date Mailed: 12/31/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kuo-Chi Tu, Hsin-Chu, TAIWAN;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 12/30/2003

Projected Publication Date: 04/07/2005

Non-Publication Request: No

Early Publication Request: No

Title

Self-aligned MIM capacitor process for embedded DRAM

Preliminary Class

257

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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43859 7590 10/07/2004

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Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Kristy Engeldahl	(Depositor's name)
<i>Kristy Engeldahl</i>	(Signature)
January 5, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,098	10/03/2003	Kuo-Chi Tu	TSM03-0188	2276

NAME OF INVENTION: SELF-ALIGNED MIM CAPACITOR PROCESS FOR EMBEDDED DRAM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370 \$1400	\$300	\$1670 \$1700	01/07/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGO, NGAN V	2814	257-301000

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form TO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

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1. Slater & Matsil, L.L.P.

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ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Taiwan Semiconductor Manufacturing Company, Ltd.

(B) RESIDENCE (CITY and STATE OR COUNTRY)

Hsin-Chu, Taiwan

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The following fee(s) are enclosed:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

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☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1065 (enclose an extra copy of this form).

Change in Entity Status (from status indicated above)

☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

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Authorized Signature Barry W. Dove

Date January 5, 2005

Typed or printed name Barry W. Dove

Registration No. 45,862

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